

#9/B
NE**RENNER, OTTO, BOISSELLE & SKLAR**

1621 Euclid Avenue - Nineteenth Floor

Cleveland, Ohio 44115

Tel: (216) 621-1113

Fax: (216) 621-6165

Approved,

Please E-mail

JYL

2/19/04

FACSIMILE TRANSMISSION COVER SHEET

TO: Examiner Jeoyuh Lin
FAX NO.: 703-746-3345
FROM: Don W. Bulson
DATE: October 1, 2003
RE: Serial No. 09/770,830
OUR REF: SCHWP0126US
PAGES SENT (Including cover sheet): 10

MESSAGE

Dear Mr. Lin,

Attached is a copy of the Reply to Office Action Dated February 26, 2003 and a copy of the return postcard with the PTO stamp dated May 30, 2003.

A telephone call was placed to you, and a message was left, on either June 24 or 25, 2003 inquiring as to the status of the final rejection.

It was then noted that the box non-final action was marked on the cover sheet to the Office Action and docketing was so informed, therefore, no further attempts were made to contact you since it was believed the application was non-final.

Upon further checking the file after your telephone call to Mr. Bulson, we note now that although the box may have been marked for a non-final action, that the action was final.

Please let us know if you need anything further.

Sincerely,
Jenn Moore
Assistant to Don Bulson

CONFIDENTIALITY NOTE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE MAY BE LEGALLY PRIVILEGED AND IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IT IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW INCLUDING COURT ORDERS.

IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THIS FACSIMILE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPY OF THIS FACSIMILE MESSAGE OR ITS INFORMATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE MESSAGE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (216-621-1113) OR TELEX (8104212034 OLDPAT CLV) AND MAIL THIS FACSIMILE MESSAGE BACK TO US IMMEDIATELY.

Z:\SEC152\152IDWB\SCHWP\0126\0126US.F01.wpd (FAXCOVER.FRM) (3/97)

Applicant <u>Richard Braun et al.</u>		Case No. <u>SCHW012608</u>
Serial No. <u>09/770,830</u>	Filing Date <u>01/26/01</u>	Att. <u>DAB</u>
Title <u>APPARATUS AND METHOD FOR POSITIONING MEDICAL TREATMENT</u>		
Mailed <u>05/27/03</u>	Due Date <u>05/26/03</u>	Ex. Mail No. _____
<input type="checkbox"/> Patent Application (<input type="checkbox"/> New <input type="checkbox"/> CON <input type="checkbox"/> DIV <input type="checkbox"/> CIP <input type="checkbox"/> CPA <input type="checkbox"/> PCT <input type="checkbox"/> Provisional)		
<input type="checkbox"/> Transmittal/Request	<input type="checkbox"/> Declaration/Power of Atty	<input type="checkbox"/> Express Mail Certification
<input type="checkbox"/> Pages of Specification	<input type="checkbox"/> Assignment & Cover Sheet	<input type="checkbox"/> Issue Fee Trans.
<input type="checkbox"/> Sheets of Drawings	<input type="checkbox"/> RCE	<input type="checkbox"/> Main. Fee Trans.
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> IDS/1449/Refs.	<input type="checkbox"/> Ltr. Off. Drawing
<input type="checkbox"/> Request for Non-Publication	<input type="checkbox"/> Priority Document(s)	<input type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Amendment/Response	<input type="checkbox"/> Decl. Sec. 8 & 15	<input type="checkbox"/> Appeal Brief
<input type="checkbox"/> Transmittal <input type="checkbox"/> Ext. of Time	<input type="checkbox"/> Ren. Sec. 8 & 9	
<input type="checkbox"/> Trademark/Service App.	<input type="checkbox"/> Checks \$ _____	
<input type="checkbox"/> Specimens <input type="checkbox"/> St. of Use		
<input type="checkbox"/> Other _____		

RECEIPT ACKNOWLEDGED
MAY 30 2003